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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 SECURITIES AND EXCHANGE
11 COMMISSION,

12 Plaintiff,

13 v.

14 PATH AMERICA, LLC, et al.,

15 Defendants and

16 POTALA SHORELINE, LLC, et al.,

17 Relief Defendants.

CASE NO. C15-1350JLR

SIXTEENTH ORDER
REGARDING FEE
APPLICATIONS

18 Before the court is the sixteenth quarterly fee application of Receiver Michael A.
19 Grassmueck's ("the Receiver") general counsel, Allen Matkins Leck Gamble Mallory &
20 Natsis, LLP ("Allen Matkins"), for \$13,146.75 in fees and \$2,812.97 in costs. (Fee App.
21 (Dkt. # 698).) As described below, the court GRANTS Allen Matkins' fee application.

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1 Allen Matkins filed the foregoing motion on November 14, 2019, and properly
2 noted it for the court's consideration on November 29, 2019. (*See id.*) Any opposition to
3 the motions was due no later than Monday, November 25, 2019. *See* Local Rules W.D.
4 Wash. LCR 7(d)(3) ("Any opposition papers shall be filed and served no later than the
5 Monday before the noting date."). No party filed an opposition to the motion. (*See*
6 *generally* Dkt.)

7 The court finds that (1) the fees and costs requested in the fee application are
8 reasonable and necessary, (2) the notice of the fee application was appropriate, (3) the fee
9 application is made in accordance with the Order Appointing Receiver (*see* OAR (Dkt.
10 # 88) ¶¶ 55-59), and (4) the services provided were of substantial benefit to the
11 Receivership Estate. Allen Matkins seeks a distribution of only 80% of the approved fees
12 and costs at this time. (*See id.* ¶ 58 ("Quarterly Fee Applications may be subject to a
13 holdback in the amount of 20% of the amount of fees and expenses for each application
14 filed with the Court."); *see also* Fee App. at 2.)

15 Accordingly, the court GRANTS Allen Matkins fee application (Dkt. # 698) and
16 APPROVES on an interim basis application amounts, for the period July 1, 2019, though
17 September 30, 2019, of \$13,146.47 in fees and \$2,812.97 in costs for a total of
18 \$15,959.38. Further, the court AUTHORIZES the Receiver to presently disburse to
19 Allen Matkins \$10,517.40 in fees and \$2,250.38 in costs for a total of \$12,767.78, which

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1 is 80% of the approved fees and costs for the period of July 1, 2019, through September
2 30, 2019.

3 Dated this 6th day of December, 2019.

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6 JAMES L. ROBART
7 United States District Judge
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